

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD MARSCHALL,

Defendant.

CASE NO. CR20-5270RJB

ORDER DENYING MOTION TO
COMPEL GRAND JURY
CHARGES

THIS MATTER comes before the Court on Defendant's Motion to Compel Grand Jury Charges (Dkt. 59). The Court is familiar with the record herein and all documents filed in support of and in opposition to the motion. The pleadings call to mind the law school discussion of *malum prohibitum* and *malum in se*.

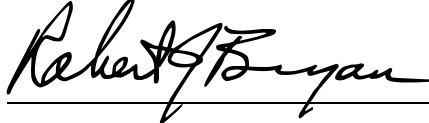
What the grand jury found is reflected in the Indictment (Dkt. 38). Further inquiry into the grand jury's processes would not be productive, and Defendant does not show a particularized need to go into grand jury instructions or colloquy. Issues around *Rehaif v U.S.*, 139 S. Ct. 2191 (2019) and *U.S. v Dotterweich*, 320 U.S. 277, (1943) can be fairly presented and argued without further grand jury information.

1 The Motion to Compel Grand Jury Charges is DENIED.

2 **IT IS SO ORDERED.**

3 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
4 to any party appearing *pro se* at said party's last known address.

5 Dated this 21st day of October, 2020.

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7 ROBERT J. BRYAN
8 United States District Judge
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